# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT TRANSMITTAL FORM

Applicant:

**Alexander Virvo** 

Docket No.: BAD017USU

Serial No.:

**TBA** 

Filed: December 30, 2003

For:

**Presentation Display** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

#### Transmitted herewith is:

- 1. Non-Provisional Utility Patent Application including specification (13 pages), claims (3 pgs, Nos. 1-16) & abstract
- 2. Informal Drawings (5 pages, FIGS. 1-7)
- 3. Declaration and Power of Attorney
- 4. Small Entity Statement
- 5. Firm's check in the amount of \$ 385.00
- 6. Postcard
- 7. Duplicate copy of this letter
- 8. New Application Transmittal

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 07-2162 in the name of Grimes & Battersby. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: December 30, 2003

James G. Coplit Reg. No. 40,571

Grimes & Battersby, LLP 488 Main Avenue, Third Floor Norwalk, Connecticut 06851

(203) 849-8300

**CERTIFICATE OF EXPRESS MAILING** 

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL, POST OFFICE TO ADDRESSEE, CERTIFICATE NO. <u>EV123843002US</u> IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON December 30, 2003 .

JAMES G. COPLIT
NAME OF REGISTERED
REPRESENTATIVE

SIGNATURE

12/30/03

DATE

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Docket No.	BAD017USU

**Box Patent Application Commissioner of Patents and Trademarks** Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL
Transmitted herewith for filing is the patent application of
Inventor(s): Alexander Virvo
WARNING. Patent must be applied for in the name(s) of all of the actual inventor(s). 37 CFR 1.41(a) and 1.53(b).
For (title): Presentation Display
1. Type of Application
This new application is for a(n) (check one applicable item below):
<b>☑</b> Original
☐ Design
☐ Plant
WARNING. Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S. C 371 (c)(4) unless the International Application is being filed as a divisional, continuation or continuation-in-part application.
NOTE: If one of the following 3 items apply then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION
☐ Divisional
Continuation
Non-Provisional Application Based on Provisional
CERTIFICATION LINDER 37 CER 1 10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being Mail Post Office to Addressee" Mailing Label Number \_\_\_\_EV123843002US \_\_ addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

> James G. Coplit (Type or print name of person mailing paper)

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1. 10(b).

# 2. Benefit of Prior U.S. Application(s) (35 USC 120)

NOTE: If the new application being transmitted is a divisional continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., then check the following item and complete and attach ADDED PAGES FOR NEWAPPLICATION TRANSM17TAL WHERE BENEFIT OF PRIOR U S APPLICATION(S) CLAIMED.

The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3.	Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) of	r
37	CFR 1.153 (Design) Application	

37 CFR 1	.153 (Design) Application
<u>13</u>	Pages of specification
3	Pages of claims (Nos. 1-16)
1	Pages of Abstract
5	Sheets of drawing (FIGs. 1-7)
	formal
Ē	informal
WARNIN	G: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. Comments on proposed new 37 CFR 1.84. Notice of March 9, 1988 (1990 O.G. 57-62).
NOTE:	"Identifying indicia such as the serial number, group and unit, title of the Invention, attorney's docket number inventor's name, number of sheets, etc., not to exceed 2 3/4 inches (7.0 cm.) in width may be placed in a centered location between the side edges within three fourths inch (19.1 mm.) of the top edge. Either this marking technique on the front of the drawing or the placement, although not preferred, of this information and the title of the invention on the back of the drawings is acceptable." Proposed 37 CFR 1.84(I). Notice of March 9, 1988 (1090 O.G. 57-62).
4. Additi	onal papers enclosed
	Preliminary Amendment
	Information Disclosure Statement (37 CFR 1.98)
	Form PTO-1449
	Citations
	Declaration of Biological Deposit
	Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
	Authorization of Attorney(s) to Accept and Follow Instructions from Representative
	Special Comments
	Other

5.	Decla	aration or oath		
	F	Enclosed		
		executed by (check all applicable boxes)		
	☑ inventor(s).			
			legal representative of inventor(s). 37 CFR 1.42 or 1.43	
			joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.	
			this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.	
		Not	Enclosed.	
	WARNIN	a Ir c	Where the filing is a completion in the U.S. of an International Application but where a declaration is not vailable or where the completion of the U.S. application contains subject matter in addition to the international Application the application may be treated as a continuation or continuation-in-part, as the assemay be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.	
			Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all the above named inventor(s). (The declaration or oath, along with the surcharge required by 37 CFR 1. 16(e) can be filed subsequently).	
	NOTE:	lt is in	nportant that all the correct inventor(s) are named for filing under 37 CFR 1. 4 I(c) and 1. 53(b).	
			Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1. 4 I(d).	
6.	Inven	tors	hip Statement	
	WARNIN		the named inventors are each not the inventors of all the claims an explanation, including the ownership f the various claims at the time the last claimed Invention was made, should be submitted.	
	The inv	ento	orship for all the claims in this application are:	
	V	The	e same	
			or	
			not the same. An explanation, including the ownership of the various claims at the time the claimed invention was made, $\dot{}$	
			is submitted.	
			will be submitted.	
7.	Lang	uage	•	
	NOTE:	Engli CFR	oplication including a signed oath or declaration may be filed in a language other than English. A verified sh translation of the non-English language application and the processing fee of \$130.00 required by 37 1. 17(k) is required to be filed with the application or within such time as may be set by the Office. 37 1.52(d).	
	NOTE:		n-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 1.69(b).	
	V	Eng	glish	
		nor	n-English	
	i		the attached translation is a verified translation. 37 CFR 1.52(d).	

8. Assignment			
🗀 An assignment of the in	vention to		
is attached. A sep ACCOMPANYING attached.	arate "COVER SHE NEW PATENT APPLIC	EET FOR ASSIGNME ATION" or . FORM	ENT (DOCUMENT) I PTO 1906 is also
Will follow.			
NOTE: "If an assignment is submitted one for the assignment." Notice	d with a new application, sen e of May 4, 1990 (1114 O. G.	d two separate letters-one 77-78).	for the application and
9. Certified Copy			
Certified copy(ies) of application	ns)		
(country)	(appln. no.)		(filed)
(country)	(appln. no.)		(filed)
(country)	(appln. no.)		(filed)
from which priority is claimed			
is(are) attached.			
will follow.			
NOTE: The foreign application forming 37 CFR 1,55(a) and 1.63. NOTE: This item is for any foreign p application or International Ap- entitled to priority from a prior	nority for which the applicati pplication from which this app r foreign application then con	on being filed directly rela lication claims benefit und pplete item 18 on the ADE	ites. If any parent U.S. er35 U.S.C. 120 is itself DED PAGES FOR NEW
APPLICATION TRANSMITTA		JR U.S. APPLICATION(S)	CLAIMED.
10. Fee Calculation (37 CFR 1.	10)		
A. Regular application			
Number filed	CLAIMS AS FILED Number Extra	Rate	Basic Fee
Number filed	Number Extra		37 CFR 1. 16(a) \$770.00
Total Claims (37 CFR 1.16(c)) 16 -20	= -0-	x \$ 22.00	
Independent Claims (37 CFR 1.16(b)) 3 -3	= 0	x \$86.00	
Multiple dependent claim(s), if any (37 CFR 1.16(d))		\$230.00	
☐ Amendment cancelling	extra claims enclosed.		
Amendment deleting m	ultiple-dependencies er	iclosed.	
Fee for extra claims is	not being paid at this tin	ie.	
NOTE: If the fees for extra claims are to the expiration of the time p deficiency. 37 CFR 1. 16(d).	not paid on filing they must b eriod set for response by the	e paid or the claims cancel Patent and Trademark O	led by amendment, prior ffice in any notice of fee

- 4 -

770.00

Filing Fee Calculation

B.		Design application (\$280.00-37 CFR				
			Filing Fee Calculati	on	\$	<del></del>
C.		Plant application (\$460.00-37 CFR	1.16(g))			
			Filing Fee Calculati	on	\$	
11. Sma	all Er	ntity Statement(s)	)			
Ŀ		rified Statement(s) e) attached.	that this is a filing b	y a small entity unde	r 37 CFF	R 1.9 and 1.27 is
	Fili	ng Fee Calculation	n (50% of <b>A, B</b> or <b>C</b> a	above)	\$	385.00
NOTE:	Any o	excess of the full fee p hs of the date of timely	paid will be refunded if a payment of a full fee. 37	verified statement and a r CFR 1.28(a).	efund requ	est are filed within 2
12. Req	uest	for International	-Type Search (37 C	FR 1.104(d)) <i>(compl</i>	ete if ap	olicable)
<b>J</b> !			ternational-type sear on the merits takes p	ch report for this appolace.	olication a	at the time when
13. Fee	Pay	ment Being Made	At This Time			
	No	t Enclosed				
			be paid at this time aid subsequently.)	. (This and the surch	arge req	uired by 37 CFR
V	En	closed				
	V	basic filing fee			\$	385.00
		recording assignr (\$40.00; 37 CFR			\$	
	口	petition fee for fili than all the inven on behalf of the in inventor refused be reached. (\$13 1.47 and 1.17(h))	tors or person nventor where to sign or cannot 0.00; 37 CFR		\$	
		for processing an a specification in language. (\$130. 1.17(k)		and	\$	
		processing and re (\$130.00; 37 CFF	etention fee R 1.53(d) and 1.21(1	))	\$	
		fee for internation 37 CFR 1.21 (e))	nal-type search repoi	rt (\$35.00;	\$	
NOTE:	comp 78. ii	olete the application pundicate that in order to	ırsuant to 37 CFR 1.53(d) obtain the benefit of a pri	retaining any application v and this, as well as the c or U.S. application, either be paid within I year from t	changes to the basic fi	37 CFR 1. 53 and 1. ling fee must be paid
		Total f	ees enclosed		\$	385.00

14. Meth	thod of Payment of Fees	
ᅜ	Check in the amount of \$	
Г	Charge Account No. <u>07-2162</u> in the amount of \$this transmittal is attached.	A duplicate of
NOTE:	: Fees should be itemized in such a manner that it is clear for which purpose the	ne fees are paid. 37 CFR 1.22(b).
15. Auth	thorization to Charge Additional Fees	
	VING: If no fees are to be paid on filing the following items should not be comp	
WARNIN	VING: Accurately count claims, especially multiple dependent claims, to avoid claim charges are authorized.	unexpected high charges, if extra
乊	The Commissioner is hereby authorized to charge the follow paper and during the entire pendency of this application to A	ving additional fees by this ccount No. <u>07-2162</u> .
	☑ 37 CFR 1. 1 6(a), (f) or (g) (filing fees)	
	☐ 37 CFR 1. 1 6(b), (c) and (d) (presentation of extra claim	s)
NOTE:	Because additional fees for excess or multiple dependent claims not paid must only be paid or these claims cancelled by amendment prior to the ex response by the PTO in any notice of fee deficiency (37 CFR 1. 16(d)), it no PTO to charge additional claim fees, except possibly when dealing with amendations.	piration of the time period set for night be best not to authorize the
	37 CFR 1.16(e) (surcharge for filing the basic filing fee a later than the filing date of the application)	nd/or declaration on a date
	☑ 37CFR1.17(application processing fees)	
WARNIN	VING: While 37 CFR 1. 17(a), (b), (c) and (d) deal with extensions of time un should be made only with the knowledge that "Submission of the ap, C.FR. 1. 136(a) is to no avail unless a request or petition for extens Notice of November 5, 1985 (1060 0. G. 27).	propriate extension fee under 37
	37 CFR 1. 1 8 (issue fee at or before mailing of Notice of CFR 1.31 1 (b))	f Allowance, pursuant to 37
NOTE:	Where an authorization to charge the issue fee to a deposit account has leading to the issue fee will be automatically charged to the deposit the notice of allowance. 37 CFR 1.31 I(b).	been filed before the mailing of a sit account at the time of mailing
NOTE:	37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to the application prior to paying, or at the time of paying, issue fee" 'Fro (a) -notification of change of status must be made even if the fee is paid as no notification is required if the change is to another small entity.	m the wording of 37 CFR 1.28(b)
16. Insti	structions As To Overpayment	
匚	credit Account No. 07-2162	
区	refund	, 90
Reg. No.	0. 40,571 SIGNATURE OF	ATTORVER
Tel. No.	D. (203) 849-8300 James G. Co	pplit name of attorney
	· ·	enue, Third Floor

Norwalk, Connecticut 06851

# Incorporation by reference of added pages

Check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

	区	Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S Application(s) Claimed
		Number of pages added4
	匚	Plus Added Pages For Papers Referred To In Item 4 Above
		Number of pages added
	匚	Plus "Assignment Cover Letter Accompanying New Application"
		Number of pages added
V	Statem	ent Where No Further Pages Added

(If no further pages form a part of this Transmittal then end this Transmittal with this page and check the following item)

This transmittal ends with this page.

## ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: "In order for an application to claim the benefit of a prior filed copending national application, the prior application must name as an inventor at least one inventor named in the later filed application and disclose the named inventor's invention claimed in at least one claim of the later filed application in the manner provided by the first paragraph of 35 U.S.C. 112." 37 CFR 1.78(a).

NOTE: "In addition the prior application must be (1) complete as set forth in § 1.51, or (2) entitled to a filing date as set forth in § 1.53(b) and include the basic filing fee set forth in § 1. 16, or (3) entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21 (/) within the time period set forth in § 1. 53(d). "37 CFR 1. 78(a).

#### 17. Relate Back - 35 U.S.C. 120

NOTE: "Any application claiming the benefit of a prior filed copending national or international application must contain or be amended to contain in the first sentence of the specification following the title a reference to such prior application identifying it by serial number and filing date or International application number and international filing date and indicating the relationship of the applications." 37 CFR 1. 78(a). See also the Notice of April 28, 1987 (1079 O. G. 32 to 46).

Amend the Specification by inserting before the first line the sentence: "This is a continuation non-provisional application claiming benefit of priority □ divisional of copending provisional application(s) International Application \_\_\_\_\_ filed on and which designated the U.S."

NOTE: The proper reference to a prior filed PCT application which entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application which designated the US.

NOTE: (1) Where the application being transmitted adds subject matter to the International Application then the filing can be as a continuation-in-part or (2) it is desired to do so for other reasons, e.g. where no declaration is available, no English translation is available or no fee is to be paid on filing then the filing can be as a continuation. In these cases the International Application designating the U.S. is treated as the parent case in the U.S. and is an alternative to the completion of the International Application under 35 U.S.C. 371(c)(4) which must meet the requirements of 37 CFR 1.61(a). This alternative permits the completion of the filing requirements within any term set by the PTO under 37 CFR 1.53(d) to which the extension provisions of 37 CFR 1. 136(a) apply. (Whereas, if the filing is as an international application entering the U.S. stage then the fee, declaration and/or English translation (where necessary) is due within 20 months of the priority date but can be paid within 22 months of the priority date (or is due within 30 months of the priority date but can be submitted within 32 months of the priority date) with the surcharges set forth in 37 CFR 1.492(e), (f) and 37 CFR 1.495(c),- however, the provisions of 37 CFR 1. 136 do not apply to this 22 or (32 month) period. 37 CFR 1.61(b).)

NOTE. The deadline for entering the national phase in the U.S. for an international application was clarified in the Notice of April 28, 1987 (1079 0. G. 32 to 46) as follows:

"The Patent and Trademark Office considers the International application to be pending until the 22nd month from the priority date if the United States has been designated and no Demand for International Preliminary Examination has been filed prior to the expiration of the 19th month from the priority date and until the 32nd month from the priority date if a Demand for International Preliminary Examination which elected the United States of America has been filed prior to the expiration of the 19th month from the priority date, provided that a copy of the international application has been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively. If a copy of the international application has not been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively, the international application becomes abandoned as to the United States 20 or 30 months from the priority date respectively. These periods have been placed in the rules as paragraph (h) of § 1.494 and paragraph (i) of § 1.495. A continuing application under 35 U.S.C. 365(c) and 120 may be filed anytime during the pendency of the international application. "

#### 18. Relate Back - 35 U.S.C. 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17, in turn itself claim(s) foreign priority (ies) as follows:

	country	appl no.	filed on
The	e certified copy (ies) has (have	e)	
	been filed onon	in prior application 0 / 	which was filed
匚	is (are) attached		
WARNIN	International Bureau may not application in the continuing ap communicated by the International stage is en Therefore such certified copies application. An alternative wot transfer them to the continuing folders, make suitable record recopies in the Continuing Appli	plication. This is so because the central Bureau is placed in a folder and itered. Such folders are disposed of may not be available if needed late up to be physically remove the prior application. The resources requires the contral to the contral to the contral to the certified copies cation are substantial Accordingly.	file a certified copy of the priority rtified copy of the priority application is not assigned a U.S. serial number
19. Main	tenance of Copendency of	Prior Application	
	The PTO finds it useful if a copy of t filed with the papers constituting the 0. G. 27).	he petition filed in the prior applicatio filing of the continuation application.	n extending the term for response is Notice of November 5, 1985 (1060
A. 🗀	Extension of time in prior app	olication	
(This i	tem <b>must</b> be completed and t the	he papers filed in the prior ap prior application has run)	oplication if the period set in
	A petition, fee and respons	e extends the term in the pe	ending <b>prior</b> application until
	A copy of the petition file	ed in prior application is attach	ned
в. П		nsion of Time in Prior Applicat item if previous item not applic	
Γ	A conditional petition for application.	extension of time is being	filed in the pending prior
	☐ A <b>copy</b> of the conditional	I petition filed in the prior appl	ication is attached
20. Furti	ner Inventorship Statement	Where Benefit of Prior Appl	ication(s) Claimed

NOTE: "If the continuation, continuation-in-part, or divisional application is filed by less than all the inventors named in the prior application a statement must accompany the application when filed requesting deletion of the names of the person or persons who are not inventors of the invention being claimed in the continuation, continuation-in-part, or divisional application." 37 CFR 1.62(a) [emphasis added]. (dealing with the file wrapper continuation situation).

NOTE: "In the case of a continuation-in-part application which adds and claims additional disclosure by amendment, an oath or declaration as required by § 1.63 must be filed. In those situations where a new oath or declaration is required due to additional subject matter being claimed, additional inventors may be named in the continuing application. In a continuation or divisional application which discloses and claims only subject matter

disclosed in a prior application, no additional oath or declaration is required and the application must name as inventors the same or less than all the inventors in the prior application.™ 37 CFR 1.60(c). (dealing with the continuation situation).

### (complete applicable item (a), (b) and/or (c) below)

(a) F	This application discloses and claims only subject matter disclosed in the application whose particulars are set out above and the inventor(s) in this application		
		the same	
		less than those named in the prior application and it is requested that the following inventor(s) identified for the prior application be deleted:	
		(Type name(s) of inventor(s) to be deleted)	
(b)	de	is application discloses and claims additional disclosure by amendment and a new claration or oath is being filed. With respect to the prior application the inventor(s) in application are	
		the same	
	口	the following additional inventor(s) have been added	
		(Type name(s) of inventor(s) to be added)	
(c) 🔽	Th	e inventorship for all the claims in this application are	
	V	the same	
		not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made	
		is submitted	
		□ will be submitted	
21. Aba	ındo	nment of Prior Application (if applicable)	
	wh wh	ease abandon the prior application at a time while the prior application is pending or ten the petition for extension of time or to revive in that application is granted and ten this application is granted a filing date so as to make this application copending the haid prior application.	
NOTE:	appli shou	ording to the Notice of May 13, 1983 (103, TMOG 6-7) the filing of a continuation or continuation-in-part ication is a proper response with respect to a petition for extension of time or a petition to revive and Ild include the express abandonment of the prior application conditioned upon the granting of the petition the granting of a filing date to the continuing application.	
22. Pet	ition	for Suspension of Prosecution for the Time Necessary to File an Amendment	
WARN	NG:	"The claims of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and (2) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds of art of record in the next Office action ff they had been entered in the earlier application." MPEP, § 706.07(b).	
NOTE:	Whe	re it is possible that the claims on file will give rise to a first action final for this continuation application and	

for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered) it may be desirable to file a petition for suspension of prosecution for the time necessary.

(check the next item, if applicable)

	Γ.	There is provided herewith a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)
23.	NOT	TIFICATION IN PARENT APPLICATION OF THIS FILING
	区	A notification of the filing of this (check one of the following)
		Continuation
		non-provisional utility application
		C divisional
	being 20.	g filed in the parent application from which this application claims priority under 35 USC §